

Applicant: Valentino Campagnolo
Application No.: 10/632,777

REMARKS

The Amendment amends claims 1, 2, 9, 11, 20, and 35. Claims 1-15, 17, 18, and 20-41 are pending.

The Action rejects claims 1-41 over U.S. Patent No. 6,015,036 to Fukuda in view of U.S. Patent Nos. 6,073,730 to Abe and 5,865,454 to Campagnolo. The Action's reliance on Fukuda is new. Fukuda shows a device for shifting bicycle gears. The device has a switch 14 mounted behind the brake lever 15. In one embodiment shown in Figures 1-3, the switch 14 is a toggle switch that controls both up and down shifting. In an alternate embodiment shown in Figures 4 and 5, the switch 14U only controls up shifting, while switches 14DF, 14DR located on the attachment component 16 control downshifting.

The Abe and Campagnolo references have been previously discussed. Abe shows a brake and brake hood that includes an electronic switch 18. The Abe switch operates a cycling computer of the type commonly used with road bicycles. See col. 3, line 62 to col. 4, line 15. The Abe switches are a start switch 54 and a mode switch 55. These switches are selectively operable push-button switches. Campagnolo teaches an electronically controlled gear change device, in particular, electronic gear-shifting in response to a rider's desire to change his speed. Campagnolo does not specify the manual controls for carrying out this gear change.

Applicant: Valentino Campagnolo
Application No.: 10/632,777

Neither Fukuda, Abe, nor Campagnolo show or suggest what is now claimed.
This Reply addresses each group of claim sets in turn.

Claims 1-10

The references do not show "a control lever mounted for rotation about a pin located in the support body and positioned such that a portion thereof can be rotated into activating contact with the first electrical switch," nor "can [it] be rotated into activating contact with the first electrical switch" as claimed in claim 1. First, Fukuda switch 14 is not a lever- it is a toggle switch. Second, the Fukuda switch 14 is not mounted for rotation about a pin located in the support body. And third, it cannot be rotated into activating contact with a first electrical switch *located in the support body*, especially since the Fukuda electrical switches related to the switch 14 are not located in the support body, but rather, are located within switch 14. Thus, for several reasons, Fukuda does not show the claimed lever. Abe does not cure this because Abe merely shows cyclocomputer push-buttons mounted on the lever bracket 5. Neither Fukuda nor Abe teach or suggest what is now recited in claim 1, and claim 1 should now be allowable.

In claim 2, the references do not teach or suggest that "the control lever rotates in a direction generally orthogonal to the path of motion to bring the control lever portion into activating contact with the first electrical switch," as now recited. None of the references show the combination of features claimed, particularly a

Applicant: Valentino Campagnolo
Application No.: 10/632,777

control lever that rotates in a direction orthogonal to the brake lever's path of motion. Fukuda shows a toggle switch that does not rotate, and Abe shows only push buttons. For these reasons, claim 2 should be allowable over the prior art.

Regarding claim 3, the Action rejects the claim as obvious, but cites no art whatsoever that shows the opposed switch feature. In these devices, where ergonomics and ease of use is such a critical feature, the dual switch plate is novel because it allows for one switch plate within the support body, instead of multiple switches mounted at different locations, as shown in Fukuda and Abe. Nothing in the prior art shows or suggests this feature, and claim 3 is believed to be patentable for this reason.

Regarding claim 9, none of the art teaches or suggests a brake lever and control lever that mount about distinct perpendicular axes, and claim 9 is believed patentable for this reason.

The remaining claims 4-8 and 10 depend from these claims and are at least patentable for reasons discussed with respect to the claims from which they depend.

Claims 11-14

Claims 11-14 are patentable for similar reasons as discussed in claims 1-10. Claim 11 recites "a lever having a portion located within the support body and being rotatable such that the portion can be rotated into activating contact with the first

Applicant: Valentino Campagnolo
Application No.: 10/632,777

electrical switch,” and for similar reasons to those discussed above with respect to claims 1-10, claim 11 is patentable over Fukuda and Abe.

Claims 12-14 depend from claim 11, and are patentable for at least the same reasons as claim 11.

Claims 15, 17, and 18

The cited references *still* do not show or suggest what is now claimed in amended claim 15: “wherein the first and second electrical switches are located on opposite sides of the plate, the plate being oriented such that the opposite sides are generally perpendicular to a portion of the mount that is configured to engage the handlebar.” For the reasons discussed above, claims 15-19 are believed patentable. In addition, Abe’s cyclo-computer mode switches are mounted on the same side of the cover 17, whereas in claim 15, the switches are mounted on *opposite* sides of the mounting plate. This feature is discussed in paragraph [0011] of the application, and is ergonomically advantageous over Abe because the oppositely switches can be activated by different fingers.

Claims 17 and 18 depend from claim 15, and are patentable for at least the same reasons as claim 15.

Claims 20-28

The cited references do not show or suggest what is claimed in claim 20, namely, “a gear change selector mounted behind and in intermittent contact with

Applicant: Valentino Campagnolo
Application No.: 10/632,777

the brake lever and in communication with a selected one of the first and second electrical switches" where the electrical switches are located on a single support plate within a cavity of the support body. Fukuda shows a switch 14 *attached* to the brake lever 15, not intermittently connected as claimed. Further, the Fukuda switch 14 is not in communication with switches in its housing 5, but instead Fukuda switch 14 is in communication with switches *outside* of the housing 5, which is the opposite of what is claimed.

Regarding claim 21, the prior art does not teach or suggest that "the brake lever defines a path of motion when moving toward and away from the support body, the gear change selector rotates in a direction generally orthogonal to the path of motion to bring the gear change selector into contact with the selected one of the first and second electrical switches," as recited. Neither Fukuda nor Abe disclose that their switch and brake lever operate orthogonal to one another as claimed, and claim 21 should thus, be allowable.

Regarding claims 22 and 26, the recited elements correspond roughly to those cited in claims 3 and 9, and are patentable for the reasons discussed above with respect to those claims.

Claims 23, 24, 27, and 28 are patentable at least because they depend from claim 21.

Applicant: Valentino Campagnolo
Application No.: 10/632,777

Claims 29-34

The cited references do not show or suggest "a gear change selector pivotably moveable about the support body and capable of selecting one of the first and second electrical switches" that are "disposed within the interior cavity of the support body" as claimed. Neither the Fukuda nor the Abe switches are pivotable, and Fukuda does not teach the switch location inside a cavity in the support body.

Claim 30 recites the switches on opposite sides of a support plate, which is discussed above, and claims 31-34 depend from claim 29, and are patentable for at least the same reasons as claim 29.

Claims 35-41

Finally, the prior art does not show or suggest what is in claims 35-41, namely "pivotally interconnecting a gear change selector with the motor driven derailleur control and establishing communication between the gear change selector and one of the first and second switches" where the switches are disposed on a plate within a cavity inside the support body. Abe and Fukuda do not show a pivotally connected gear change selector that activates switches mounted on a single plate within a cavity of a derailleur. This is discussed above.

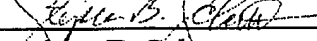
Claims 36-41 depend from claim 35, and are patentable for at least the same reasons as claim 35, and for the reasons discussed above.

Applicant: Valentino Campagnolo
Application No.: 10/632,777

For the above reasons, Applicant respectfully submits that the presently claimed invention is patentable over the prior art. Reconsideration and allowance of the claims is respectfully requested. If the Examiner believes that an interview, either over the telephone, or in person, would advance the prosecution of this application, the undersigned invites such an interview.

Respectfully submitted,

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